# REGULATORY EFFECTIVENESS STUDY for the Christmas Bay Coastal Preserve

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### **EXECUTIVE SUMMARY**

Given the range of topics covered in this report, the overview diagram on the next page was developed to serve as a more concise substitute for the narrative that would normally appear in an Executive Summary.

The headings in the diagram correspond to the chapters in the Regulatory Effectiveness Study. These particular areas of environmental management were chosen for evaluation in this study based on the *Priority Problems List* developed by the Galveston Bay National Estuary Program (GBNEP) and the findings of the *Environmental Inventory of the Christmas Bay Coastal Preserve* (Publication 7 in the GBNEP publication series). Under each heading in the diagram is a brief list of management concerns. These reflect the Summary of Findings which lead off each chapter in the report. The evaluation process also resulted in a set of action recommendations for each management topic. These recommendations all revolve around the key elements of effective management:

- clear policies and priorities -- especially in the face of limited funds
- adequate resources and authority for meaningful program implementation
- sufficient information and knowledge to support management decisions and anticipate problems, and
- coordination across programs and among involved agencies

# **Overview of Christmas Bay Management Concerns**

# **Point Source** Discharges

- Competing water quality programs (NPS)
- Data inadequacy
- Effectiveness of permitting methods to achieve environmental protection objectives
- Monitoring inadequacy
- Coordination
- Political influences
- Increasingly technical nature of regulations
- Complexity of estuary systems
- Regionalization
- Uncertainty about coastal preserve program implications
- Inadequate agency resources

#### Wetlands

- Inadequate agency resources
- "No net loss" implementation
- State and local roles
- Equity/property issues
- Inadequate public awareness
- Inadequate data

- Lack of independent authority for resource agencies
- Inadequate agency resources
- Inadequate data

#### OVERALL

- Limited preserve area
- Inadequate awareness of coastal preserve program
- Inter-agency coordination
- Lack of baseline data
- Inadequate environmental monitoring
- Effective enforcement
- Continuing "pilot area" role for coastal preserve
- Consideration of preserve status in permitting and project review
- Regional mechanisms under Galveston Bay National Estuary Program

Christmas Bay Coastal Preserve

## On-Site Sewage Disposal

- County program effectiveness
- Cooperativeness of private system owners
- Inadequate knowledge of potential system impacts
- Planning for future system installations and use
- Inadequate public awareness

#### Recreational Cabins

- Agency "toughness" in cabin regulation
- Inadequate agency resources
- General difficulty of cabin management
- Potential for more cabins
- General permit for Corps of Engineers approvals
- Outreach to cabin users
- Coordination

#### Agricultural Runoff

- Inadequate monitoring
- Inadequate data
- Irrigation return flows
- Coordination
- Refinement of Best Management Practices
- Outreach to farmers and ranchers

# Landfill Siting and Inspection

- County lead in solid waste planning & management
- Future agency resource concerns because of competing programs
- Support for planning and policy development
- Unauthorized disposal
- Anticipated costs impacts of proposed federal rules for solid waste sites
- Uncertainty about coastal preserve program implications

- \* Italics indicate common management themes.

**Habitat Protection** 

Before focusing on the individual management areas, the effectiveness study first provides a broad-brush overview and assessment of the existing framework for coastal preserve management. The report then suggests the following general management recommendations:

- 1. The management process should begin with recognition of the inherent limitations of the Coastal Preserve program.
- 2. The lead agencies in the Coastal Preserve program should improve inter-agency understanding of the program's scope and implications.
- 3. Preserve managers should determine how coastal preserve management will be affected by anticipated regional mechanisms for the entire Galveston Bay system.
- 4. Preserve managers should recognize and take advantage of the particular management roles and capabilities of other agencies.
- 5. Preserve managers should recognize and address the lack of baseline data to guide management efforts.
- 6. Effective preserve management will depend on the development of a comprehensive preserve monitoring system.
- 7. Administrative penalties and other flexible enforcement mechanisms should be applied effectively in coastal preserves and surrounding areas.
- 8. Coastal preserves such as Christmas Bay should continue to be used as "pilot" areas for environmental research and management initiatives.

Aside from the report elements already described, the effectiveness study also builds on the earlier Regulatory Survey report (GBNEP Publication 9) by reviewing the key agencies and programs which may be applied to coastal preserve management. These details are summarized in Management Framework diagrams which appear in each chapter.